

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:22-cv-00021-MR**

DAVID OPPENHEIMER, )  
Plaintiff, )  
vs. )  
ROWENA P. PATTON and PATTON )  
PROPERTY GROUP, LLC, )  
Defendants. )

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## ORDER

**ROWENA P. PATTON and PATTON  
PROPERTY GROUP, LLC,**

Defendants.

**THIS MATTER** is before the Court on the Plaintiff's Response to Court's Show Cause Order [Doc. 10].

On August 19, 2022, the Court entered an Order directing the Plaintiff to show cause why this matter should not be dismissed due to lack of prosecution. [Doc. 9]. On August 25, 2022, the Plaintiff filed the present Response, explaining counsel's efforts to serve the Defendants and to communicate with them regarding the filing of an answer. [Doc. 10].

In light of the Plaintiff's Response, and for cause shown, the Court will allow the Plaintiff thirty (30) days from the entry of this Order to take further action against these Defendants. Should the Defendants fail to appear or otherwise defend this action within that time, the Plaintiff shall either dismiss

the action without prejudice or seek the entry of default against the Defendants. Should the Plaintiff fail to take any such further action, the Court will dismiss this action without prejudice without further Order.

**IT IS, THEREFORE, ORDERED** that the Plaintiff shall have thirty (30) days from the entry of this Order to take further action against these Defendants. Should the Defendants fail to appear or otherwise defend this action within that time, the Plaintiff shall either dismiss the action without prejudice or seek the entry of default against the Defendants. Should the Plaintiff fail to take any such further action, the Court will dismiss this action without prejudice without further Order.

**IT IS SO ORDERED.**

Signed: September 1, 2022



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Martin Reidinger  
Chief United States District Judge

